

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

TYCO HEALTHCARE GROUP LP

Plaintiff,

v.

MEDICAL PRODUCTS, INC.

Defendant.

Civil Action No. 1:04-CV-11524-DPW

**JOINT MOTION FOR
PROTECTIVE AND CONFIDENTIALITY ORDER**

Plaintiff Tyco Healthcare Group LP (“Tyco Healthcare”) brought this action against defendant Medical Products, Inc. (“MPI”), a medical products distributor, alleging that MPI fraudulently obtained rebate payments from Tyco Healthcare. MPI denies the allegations. The parties have initiated discovery, and anticipate that one or both parties may produce or be requested to produce documents or other evidence that is confidential, proprietary and/or competitively sensitive.

Under Rule 26(c)(7) of the Federal Rules of Civil Procedure, the Court may make appropriate protective orders so that “a trade secret or other confidential research, development, or commercial information not be revealed or be revealed only in a designated way.” In order to protect against improper disclosure of trade secrets and confidential information, to expedite discovery, and to serve the public interest by preventing disclosure of competitively sensitive information to business competitors, the

parties respectfully request that the proposed Protective and Confidentiality Order attached to this motion govern the production, dissemination and use of all information or material, reasonably and in good faith believed to be confidential, trade secret or otherwise protected from disclosure, and so designated under the Protective and Confidentiality Order.

Respectfully submitted,

MEDICAL PRODUCTS, INC.

By its attorneys:

/s/ Michael A. Collora

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Dated: December 13, 2004

Respectfully submitted,

TYCO HEALTHCARE GROUP

By its attorneys:

/s/ Jeffrey D. Clements

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Dated: December 15, 2004